

1 KAMALA D. HARRIS  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
3 JEFFREY M. PHILLIPS  
Deputy Attorney General  
4 State Bar No. 154990  
1300 I Street, Suite 125  
5 P.O. Box 944255  
Sacramento, CA 94244-2550  
6 Telephone: (916) 324-6292  
Facsimile: (916) 327-8643  
7 Attorneys for Complainant

**FILED**

Date 8/5/14 By 

8 **BEFORE THE**  
9 **STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2015-4

13 **TIMOTHY F. ROBISON**  
14 **7647 Denio Way**  
**Citrus Heights, CA 95610**

**ACCUSATION**

15 **Field Representative License No. FR 45326,**  
16 **Br. 2 and 3**

Respondent.

17  
18 Susan Saylor ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the  
21 Registrar/Executive Officer of the Structural Pest Control Board ("Board"), Department of  
22 Consumer Affairs.

23 2. On or about March 25, 2010, the Board issued Field Representative License Number  
24 FR 45326 in Branch 3 to Timothy F. Robison ("Respondent"). On or about August 15, 2012, the  
25 license was upgraded to include Branch 2. The license was in full force and effect at all times  
26 relevant to the charges brought herein and will expire on June 30, 2015, unless renewed.

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4. Code section 8625 states:

## STATUTORY PROVISIONS

Misrepresentation of a material fact by the applicant in obtaining a license or company registration is a ground for disciplinary action.

Conviction of a crime substantially related to the qualifications, functions, and duties of a structural pest control operator, field representative, applicator, or registered company is a ground for disciplinary action. The certified record of conviction shall be conclusive evidence thereof.

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**FIRST CAUSE FOR DISCIPLINE**

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1 death or great bodily harm), a felony, with priors, as set forth below in paragraphs 10 and 11. The  
2 circumstances of the crime were that on or about July 19, 2013, Respondent threatened to kill his  
3 former bosses and their families. The crimes are substantially related to the qualifications,  
4 functions, or duties of a field representative.

## 5 **SECOND CAUSE FOR DISCIPLINE**

### 6 **(Misrepresentation of a Material Fact)**

7 9. Respondent is subject to discipline under Code section 8637, in that Respondent  
8 misrepresented a material fact when in his Application for Structural Pest Control Applicator  
9 Examination and License, dated May 13, 2009, his Application for Structural Pest Control Field  
10 Representative Examination in Branch 3, dated November 17, 2009, and his Application for Field  
11 Representative's License in Branch 2, dated July 29, 2012, Respondent failed to disclose his  
12 conviction on May 8, 1989, as more particularly set forth below in  
13 paragraph 11.

## 14 **MATTERS IN AGGRAVATION**

15 10. On or about August 26, 2002, in the case of *People v. Timothy Robison*, (Super.  
16 Ct. Santa Clara County, 2002, Case No. CC124584), Respondent was convicted by a jury of  
17 violating Penal Code section 240 (assault), a misdemeanor.

18 11. On or about May 8, 1989, in the case of *People v. Timothy Robison*, (Muni. Ct.  
19 Santa Clara County, 1989, Case No. B88070094), Respondent was convicted by the Court on his  
20 plea of no contest of violating Penal Code section 245(a)(2) (assault on a person with a firearm), a  
21 felony, and Penal Code section 246 (shooting at occupied vehicle), a felony, with enhancements  
22 of Penal Code section 667 (violent felony) and Penal Code section 1192.7 (serious felony). The  
23 circumstances of the crimes were that on or about November 1, 1988, Respondent assaulted R.S.  
24 with a Smith & Wesson .41 caliber Remington revolver and shot at an occupied vehicle.

## 25 **OTHER MATTERS**

26 12. Code section 8620 provides, in pertinent part, that a Respondent may request that a  
27 civil penalty of not more than \$5,000 be assessed in lieu of an actual suspension of 1 to 19 days,  
28 or not more than \$10,000 for an actual suspension of 20 to 45 days. Such request must be made

1 at the time of the hearing and must be noted in the proposed decision. The proposed decision  
2 shall not provide that a civil penalty shall be imposed in lieu of a suspension.

3 13. Pursuant to Code section 8654, if discipline is imposed on Field Representative's  
4 License Number FR 45326 issued to Respondent, then Respondent shall be prohibited from  
5 serving as an officer, director, associate, partner or responsible managing employee of a licensee,  
6 and any licensee which employs, elects, or associates Respondent shall be subject to disciplinary  
7 action.

8 **PRAYER**

9 **WHEREFORE**, Complainant requests that a hearing be held on the matters herein alleged,  
10 and that following the hearing, the Structural Pest Control Board issue a decision:

11 1. Revoking or suspending Field Representative's License Number FR 45326, issued to  
12 Timothy F. Robison;

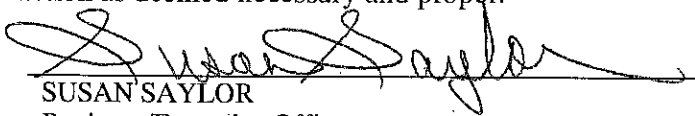
13 2. Revoking or suspending any other license issued to Timothy F. Robison;

14 3. Prohibiting Timothy F. Robison from serving as an officer, director, associate,  
15 partner, qualifying manager or responsible managing employee of any registered company during  
16 the period that discipline is imposed on Field Representative's License Number FR 45326, issued  
17 to Timothy F. Robison;

18 4. Ordering Timothy F. Robison to pay the Structural Pest Control Board the reasonable  
19 costs of the investigation and enforcement of this case, pursuant to Business and Professions  
20 Code section 125.3; and,

21 5. Taking such other and further action as deemed necessary and proper.

22 DATED: 8/5/14

  
23 SUSAN SAYLOR  
24 Registrar/Executive Officer  
25 Structural Pest Control Board  
26 Department of Consumer Affairs  
27 State of California  
28 Complainant

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